

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. Nos.D-3972, 3973, 5363 & 5368 of 2019

DATE ORDER WITH SIGNATURE OF JUDGE

Present:-
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Amjad Ali Sahito

1. **C.P. No.D-3972 of 2019**
[Mst.Rizwana vs. Government of Sindh & others]
2. **C.P. No.D-3973 of 2019**
[Muhammad Farhan vs. Government of Sindh & others]
3. **C.P. No.D-5363 of 2019**
[Muhammad Nawaz vs. Government of Sindh & others]
4. **C.P. No.D-5368 of 2019**
[Amna Begum vs. Government of Sindh & others]

09-04-2021

Ms. Naila Tabassum, Advocate for the Petitioners
Ms.Leela @ Kalpana Devi, Additional Advocate General.
Mr.Ghulam Haider Bullo, District Education Officer
(Secondary), District South Karachi.

Muhammad Ali Mazhar, J: The case of the petitioners is that they are running their school canteens in different Government schools. They have challenged the office order dated 29.03.2019 issued by District Education Officer (Male/Female), Secondary & Higher Secondary Schools, District South, Karachi, whereby they were called upon to vacate the canteens in 30 days after receiving the notice.

2. At the very outset, learned counsel for the petitioners argued that this office order was issued without providing any opportunity of hearing or due process of law. Whereas Mr.Ghulam Haider Bullo, District Education Officer (Secondary), District South Karachi submits that all previous agreements have expired, therefore, according to Government policy an advertisement will be published in the newspapers for inviting applications of interested

parties/bidders, thereafter, new contract will be executed for awarding the license to run the canteens in the Government schools premises.

3. At this juncture, learned counsel for the petitioners referred to the order passed by this court on 27.01.2021 in C.P.No.D-4567/2017 and some other connected petitions, in which also an office order was issued for college canteens in similar manner and the aforesaid petitions were disposed of on the premise that the petitioners shall not be dispossessed from their respective canteens in view of earlier contracts till such time the bids are invited and new procurement proceedings are initiated under the relevant Rules and successful bidders are declared and issued licenses to run the canteens. The learned counsel for the petitioners requests that these petitions may be disposed of in similar terms.

4. Mr.Ghulam Haider Bullo, District Education Officer (Secondary), District South Karachi clearly stated that the process will be initiated for awarding new contract after publication of the advertisement in the newspapers. This exercise should be completed within 60 days and if any such applications are invited for license to run canteen in Government school the petitioners shall also at liberty to apply in the process and submit their offer, however, till such time the process is completed the petitioners shall not be dispossessed subject to payment of their agreed rent and other charges to the competent authority.

The petitions along with pending applications are disposed of in the above terms.

Office is directed to place copy of this order in above listed petitions.

Judge
Judge